

Orange County Government

*Orange County Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393*



Final Meeting Minutes

Tuesday, September 12, 2023

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:00 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Michael Scott

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Jon Weiss
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Public Works Director Joseph Kunkel
Assistant Deputy Clerk Jennifer Lara-Klimetz
Minutes Supervisor Craig Stopyra
Minutes Coordinator Rafael Encarnacion, Jr.
Minutes Coordinator Terrell Hightower

Invocation - District 6

Bishop Derrick L. McRae, The Experience Christian Center

Pledge of Allegiance

Presentation

Proclamation recognizing Hispanic Heritage Month

Presentation

Proclamation recognizing September as Hunger Action Month

Presentation

Proclamation recognizing September as National Recovery Month

Public Comment

The following persons addressed the Board for public comment:

- Adam Nehr
- Sheila J. Mayhew
- Philip J. Unser
- Susan Grode

- Maria Bolton-Joubert
- Cynthia Harris
- Kevin Horine
- David Bottomley
- Janet Buford-Johnson
- David Shepard
- Zachary Moldof

The following material was presented to the Board during public comment: Exhibit 1, from Sheila J. Mayhew.

The following material was received by the Clerk during public comment. The material referenced by the speaker was not presented to the Board: Submittal 1, from Zachary Moldof.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deferred action on County Mayor Item 1, County Administrator Item 5, and Convention Center Item 1; further, deleted County Administrator Item 1.D.; and further, a motion was made by Commissioner Bonilla, seconded by Commissioner Moore, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

A. COUNTY MAYOR

1. **23-1244** Confirmation of the Mayor's managerial appointment of Yolanda Reyes, MSW, as Manager, Citizens Resource and Outreach Division, Community and Family Services Department.

(This item was deferred.)

B. COUNTY COMPTROLLER

1. **23-1245** Approval and execution of the minutes of the August 8, 2023 meeting of the Board of County Commissioners (Clerk's Office)
2. **23-1246** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - August 17, 2023 to August 24, 2023; \$54,541,555.27
 - August 25, 2023 to August 31, 2023; \$19,566,331.01
 - September 1, 2023 to September 7, 2023; \$40,438,447.94

(Finance/Accounting)

3. **23-1247** Disposition of Tangible Personal Property as follows. (Property Accounting)
 - a. Dispose of assets.

C. COUNTY ADMINISTRATOR

1. **23-1248** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointment. (Agenda Development Office)
 - A. Commission on Aging: Appointment of Paula M. Atkinson to succeed Willie J. Patterson in the community foundation representative category with a term expiring June 30, 2025.
 - B. Environmental Protection Commission: Appointment of Margaret Shan Atkins to succeed Mark A. Ausley in the recognized conservation organization representative category with a term expiring December 31, 2023.
 - C. International Drive CRA Advisory Committee: Appointment of Sarah Nemes to succeed Tim Swan in the Efficient Transportation for the Community of Central Florida Inc. representative category with a term expiring January 1, 2025.
 - D. Parks and Recreation Advisory Board: Reappointment of Kelly Baumier in the District 2 representative category with a term expiring June 30, 2025.

(County Administrator Consent Items 1A, 1B, and 1C were approved and Consent Item 1D was deleted.)

2. **23-1249** Approval and execution of Art in the Chambers Loan and Exhibition Agreements by and between Orange County, Florida and J. Joshua Garrick and Orlando Museum of Art (MOA) for the period of September 15, 2023 through January 24, 2024. (Arts and Cultural Affairs Office)
3. **23-1250** Approval and execution of an Area of Operation Resolution 2023-B-07 authorizing Escambia County Housing Finance Authority to issue Multi-Family Housing Revenue Bonds in Orange County, to finance the acquisition, rehabilitation, and equipping of Hollowbrook Apartments, an existing affordable residential rental community located in Orange County, Florida, District 3, in an amount not-to-exceed \$32,000,000. (Housing Finance Authority)
4. **23-1251** Approval of FY 2023-24 Regular, Administrative and Mayor/Board of County Commissioners (BCC) Staff Pay Plan Structural Adjustment, Salary Increase and Implementation Plan, and Personal Leave Sell Program. (Human Resources Division)

5. **23-1252** Confirmation of the County Mayor's staff reappointments for the first quarter, October - December, FY 2023-2024. (Human Resources Division)
- Beason, Juanita Manager, Inmate Administrative Services, Corrections
Best, Yvette, Director, Human Resources, Administration and Fiscal Services
Blackadar, Brett, Deputy Director, Public Works
Blanc, Eric, Deputy Director, Convention Center
Cummings, Mindy Manager, Real Estate Management, Administrative Services
Devitt, Terence, Deputy Director, Convention Center
Flynn-Kramer, Sara, Manager, Capital Projects, Administrative Services
Hill, Sonya, Manager, Head Start, Community and Family Services
Kramer, Glen, Manager, Fiscal and Operational Support, Utilities
Kunkel, Joseph, Director, Public Works
Mena, Rafael, Chief Information Officer, Administration and Fiscal Services
Plante, Alan, Manager, Building Safety, Planning, Environmental, and Development Services
Quinones Jr, Louis, Chief of Corrections, Corrections
Siemen, Iulia, Manager, Water Operations, Utilities
Vargas, Alberto, Manager, Planning, Planning, Environmental, and Development Services
Walls III, Raymond, Deputy Director, Convention Center
Watts, Anthony, Deputy Chief, Corrections
Williamson, Jeffrey, Manager, Communications, County Mayor's Office
Yabrudy, Claudia, Manager, Fiscal and Operational Support, Health Services

(This item was deferred.)

6. **23-1253** Approval and execution of Memorandum of Understanding between Orange County, Florida; Adventist Health Systems/Sunbelt, Inc. D/B/A AdventHealth; Embrace Families Community Based Care, Inc.; Embrace Families Solutions, Inc.; State of Florida, Department of Children and Families; Central Florida Cares Health System, Inc.; Federation of Families of Central Florida, Inc.; The School Board of Orange County, Florida; Visionary Vanguard Group, Inc.; and Heart of Florida United Way, Inc. regarding the Youth Mental Health Management Network Consortium. (Mental Health and Homelessness Division)
7. **23-1254** Approval for the Orange County Sheriff's Office to spend \$11,000 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for eligible contributions to the Florida Crime Prevention Association (\$1,000) and Harbor House of Central Florida (\$10,000). (Office of Management and Budget)

8. **23-1255** Approval to pay the first quarter billing for the Orange County Property Appraiser in the amount of \$6,741,680.53. (Office of Management and Budget)
9. **23-1256** Approval to advance \$3,894,786 to the Orange County Tax Collector on October 2, 2023. This advance is necessary to maintain the financial operation of the office during the month of October 2023. (Office of Management and Budget)
10. **23-1257** Approval to make monthly draws to the Orange County Supervisor of Elections as follows: October 2023 and November 2023, equal amounts of \$5,475,599.50; and December 2023 through September 2024, equal amounts of \$1,095,119.90. (Office of Management and Budget)
11. **23-1259** Approval to make quarterly payments to Orange County Comptroller from the General Fund, Fire Rescue/911, Parks and Recreation, Public Service Tax, Building, Convention Center/Tourist Development Tax, Water Utilities, Solid Waste/Recycle, and Public Works funds for fees beginning October 2023 through July 2024. (Office of Management and Budget)
12. **23-1260** Approval to make monthly draws to the Orange County Sheriff as follows: October 2023, the amount of \$36,915,131; November and December 2023, equal amounts of \$27,976,789; January 2024, the amount of \$55,953,578; February 2024 through July 2024, equal amounts of \$27,976,789; and August 2024, the amount of \$27,976,784. (Office of Management and Budget)
13. **23-1261** Approval of budget amendments #23-50, #23-51, #23-52, and #23-53. (Office of Management and Budget)
14. **23-1262** Approval of budget transfers #23-1257, #23-1286, #23-1287, #23-1288, #23-1289, and #23-1290. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1263** Approval of Change Order No 4, Contract Y22-765 Installation of Emergency Generator Systems at Various Orange County Emergency Shelters, with Carter Electric Inc in the amount of \$52,041.24, for a revised lump sum contract amount of \$1,785,083.19. Districts 1, 3, 4, 5, and 6. (Capital Projects Division)
2. **23-1264** Approval of Change Order No 5, Contract Y18-807 Parks Horizon West Regional Park, with AECOM Technical Services Inc in the amount of \$46,765.61, for a revised lump sum contract amount of \$1,226,149.22. District 1. (Capital Projects Division)

3. **23-1265** Approval of Change Order No 5, Contract Y22-733 Multicultural Center INVEST - GRANT, with Oelrich Construction Inc in the amount of \$54,725.85, for a revised lump sum contract amount of \$4,922,923.52. District 6. (Capital Projects Division)
4. **23-1266** Approval of Change Order No 1, Contract Y22-762 Corrections Administration Uniform and Mail Supply Buildout, with Core Engineering & Construction Inc in the amount of \$120,246.64, for a revised lump sum contract amount of \$1,717,064.89. District 6. (Capital Projects Division)
5. **23-1267** Approval of Change Order No 3, Contract Y22-775, Public Works Admin Building LED Lighting Upgrades, with S A Casey Construction Inc. in the amount of \$32,357.07, for a revised lump sum contract amount of \$804,204.15. District 3. (Facilities Management Division)
6. **23-1268** Approval to award Invitation for Bids Y23-106-MM, Weed Control for Secondary Canals and Ditches for Public Works Roads and Drainage Division, to the low responsive and responsible bidder, Aquatic Weed Control, Inc. The estimated contract award amount is \$884,000 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
7. **23-1269** Approval to award Invitation for Bids Y23-181-AV, Landscape Maintenance - Bithlo Area Section I, to the low responsive and responsible bidder, Lawnwalker Services, Inc. The estimated contract award amount is \$501,971 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
8. **23-1270** Approval to award Invitation for Bids Y23-1018-MV, Staff Augmentation - Food Service for Great Oaks Village, to the low responsive and responsible bidder, AUE Staffing, Inc. The estimated contract award amount is \$327,032.16 for a three-year term. ([Community and Family Services Department Youth and Family Services Division] Procurement Division)
9. **23-1271** Approval to award Invitation for Bids Y23-1039-CR, Stormwater Pipe Video Inspection, Cleaning, Sealing and Related Services, to the low responsive and responsible bidder, Flotech Environmental, LLC. The estimated contract award amount is \$2,360,972 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
10. **23-1272** Approval to award Invitation for Bids Y23-1044-CR, Installation of Pavement Markings, to the low responsive and responsible bidders, Oglesby Construction, Inc., in the estimated contract award amount of \$1,348,835 and McShea Contracting, LLC, in the estimated contract award amount of \$1,666,631 for a one-year term. ([Public Works Department Roads and Drainage Division] Procurement Division)

11. **23-1273** Approval to award Invitation for Bids Y23-1045-CC, Traffic Sign Installation Services, to the sole responsive and responsible bidder, AWP, Inc. dba AWP Safety Proposal. The estimated contract award amount is \$486,575 for the base year. ([Public Works Department Traffic Engineering Division] Procurement Division)
12. **23-1274** Approval to award Invitation for Bids Y23-1048-GO, Infrastructure Repair and Replacement, to the low responsive and responsible bidder, RMS Constructors Group, LLC. The total contract award amount is \$4,401,350 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
13. **23-1275** Approval to award Invitation for Bids Y23-778-RC, Clerk of Courts Winter Park Courthouse at Metric Drive, to the low responsive and responsible bidder, Poli Construction Inc. The total contract award amount is \$12,008,843 inclusive of alternate number 1. ([Administrative Services Department Capital Projects Division] Procurement Division)
14. **23-1276** Approval to award Invitation for Bids Y23-788-GO, Orange County Convention Center West Building Electrical Transformers, Panels and Switchgear Replacement, to the low responsive and responsible bidder, Potential Electric, LLC. The total contract award amount is \$2,415,400. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
15. **23-1277** Approval of Contract Y23-151, Youth Mental Health Management Network Pilot (Breakthrough), with Embrace Families Solutions, Inc., in the estimated contract award amount of \$439,006.77 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
16. **23-1278** Approval of Contract Y23-2048, Community Based Out of School Programming, with L.O.V.E Our Youth, Inc., in the total contract award amount of \$600,000 for a three-year term. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
17. **23-1279** Approval of Contract Y23-2215, Mobile Crisis Services and 911 Communication Center Diversion, with The Devereux Foundation, Inc. dba Devereux Advanced Behavioral Florida, in the estimated contract award amount of \$1,038,558.63 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
18. **23-1280** Approval of Contracts, Request for Proposals Y23-2506, Housing Opportunities for Persons with AIDS (HOPWA), in the overall total amount of

\$5,353,395, by Lot to: Aspire Health Partners, Inc. for Lots 1, 2, 3, 4, 5, and 6 in the total amount of \$1,048,406; Catholic Charities of Central Florida Inc. for Lots 5 and 6 in the total amount of \$324,997; Center for Multicultural Wellness and Prevention, Inc. for Lots 5 and 6 in the total amount of \$1,343,151; Hope and Help of Central Florida, Inc. for Lots 2, 3, 4, and 6 in the total amount of \$589,025; Miracle of Love, Inc. for Lots 2, 3, 4, and 6 in the total amount of \$1,860,101; St. Francis House of Hospitality, Inc. for Lot 5 in the total amount of \$74,787; and X-Tending Hands, Inc. for Lot 5 in the total amount of \$112,928. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)

19. **23-1281** Approval of Contract Y23-813, University Boulevard Pedestrian/Cyclist Safety Study, with Vanasse Hangen Brustlin, Inc., in the total contract award amount of \$630,628.66. ([Planning, Environmental, and Development Services Department Transportation Planning Division] Procurement Division)
20. **23-1282** Approval of Federal Subrecipient Agreement Y23-2406, Providing Funding for Homelessness Outreach, Prevention and Diversion, between Orange County and Matthew's Hope Ministries, Inc., for a federal subaward in an amount not-to-exceed \$929,952. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
21. **23-1283** Approval of Agreement, Y24-2203, The Empower Housing and Employment Program, with Coalition for the Homeless of Central Florida, Inc., in the amount of \$901,000 for a one-year term. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
22. **23-1285** Approval of Amendment No. 9, Contract Y17-192, Security Guard Services for the Corrections Department, with Universal Protection Service, LLC, in the amount of \$1,500,000, for a revised estimated contract amount of \$5,346,002.74. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
23. **23-1284** Approval of Amendment No. 3, Contract Y18-1103, Employee Assistance Program, with ComPsych Corporation, in the amount of \$144,198, for a revised estimated annual contract amount of \$576,792. ([Administration and Fiscal Services Human Resources Division] Procurement Division)
24. **23-1286** Approval of Amendment No. 10, Contract Y20-106, Landscape Maintenance Roads and Drainage Lots B, C, and D, with Lawnwalker Services, Inc., in the amount of \$50,000, for a revised estimated contract amount of \$3,113,167.15. ([Public Works Department Roads and Drainage Division] Procurement Division)

25. **23-1287** Approval of Amendment No. 5, Contract Y20-1011, Right-of-Way Mowing - Zellwood, with Lawnwalker Services, Inc., in the amount of \$40,000, for a revised estimated contract amount of \$1,378,157.80. ([Public Works Department Roads and Drainage Division] Procurement Division)
26. **23-1288** Approval of Amendment No. 2, Contract Y20-1065, Water Watch Program, with Aqua Cops Water Systems Incorporated, in the amount of \$218,868.74, for a revised estimated contract amount of \$1,546,955.73. ([Utilities Department Water Division] Procurement Division)
27. **23-1289** Approval of Amendment No. 8, Contract Y20-1074, Commercial Doors and Gates Preventative Maintenance and Repairs, with C&D Industrial Maintenance LLC, in the amount of \$100,000, for a revised estimated contract amount of \$884,700. ([Administrative Services Department Facilities Management Division] Procurement Division)
28. **23-1290** Approval of Amendment No. 1, Contract Y20-833, Professional Construction Engineering Inspection (CEI) and Compliance Services for the Oakland Roundabout Construction Project, with CDM Smith, Inc., in the amount of \$139,990.94, for a revised total contract amount of \$451,930.20. ([Public Works Department Highway Construction Division] Procurement Division)
29. **23-1291** Approval of Amendment No. 6, Contract Y22-165, Providing Nurse-Family Partnership Services to At-Risk Pregnant Women, Sub-Recipient Agreement, with Healthy Start Coalition of Orange County, Inc., in the amount of \$956,302, for a revised not-to-exceed amount of \$1,918,906. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
30. **23-1292** Approval of Amendment No. 4, Contract Y22-212, Providing Screening for Young Children Utilizing the Ages and Stages Questionnaire: Social Emotional Second Edition, Sub-Recipient Agreement, with Early Learning Coalition of Orange County, Inc., in the amount of \$389,645, for a revised not-to-exceed amount of \$918,935. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
31. **23-1293** Approval of Amendment No. 3, Contract Y22-2001, Providing Implementation and Training in Infant and Early Childhood Mental Health Consultation, Parent Child Interaction Therapy, and Child Parent Psychotherapy, Sub-Recipient Agreement, with Kinder Konsulting & Parents Too, Inc., in the amount of \$1,617,125, for a revised total contract amount of \$4,631,612. ([Community and Family Services Department Mental Health and Homelessness Division] Procurement Division)
32. **23-1294** Approval of Amendment No. 1, Contract Y22-802, Final Engineering Design

Services for Tradeshow Boulevard (From Destination Parkway to Universal Boulevard), with DRMP Inc., in the amount of \$721,694.42, for a revised total contract amount of \$1,918,116.26. ([Public Works Department Engineering Division] Procurement Division)

33. **23-1295** Approval and execution of License Agreement Between Orange County, Florida (“County”) and RMS Constructors Group, LLC (“Licensee”) and authorization for the Real Estate Management Division to exercise renewal options and furnish notice, required, or allowed by the License Agreement, as needed for RMS Constructors Group, LLC 710 and 714 N. Pine Hills Road Orlando, Florida 32808. Lease File #10221. District 6. (Real Estate Management Division)
34. **23-1296** Approval to add Exhibit B Site Plan to the previously approved Memorandum of Understanding between Orange County Fire Rescue Department and Orange County Utilities Regarding Flow Monitoring at Fire Rescue Training Center for Fire Rescue Training Center Permit B22904957 OCU File #100233. District 4. (Real Estate Management Division)
35. **23-1297** Approval and execution of Contract for Purchase and Sale by and between Michele Tardugno and Theresa Tardugno, as to an undivided 50% interest, and Erwin E. Tanczos, Martha Tanczos, Andrea M. O’Neill, and Thomas E. Tanczos, as Trustees of the Erwin and Martha Tanczos Trust, as to an undivided 50% interest and Orange County, Warranty Deed, and Agreement for Assignment and Assumption of Lease, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, disburse funds to pay purchase price of \$1,808,868, and perform all actions necessary and incidental to closing for Green PLACE Parcel 165. District 5. (Real Estate Management Division)

E. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **23-1298** Approval to process payment of Department of Juvenile Justice Invoices for FY 2023-2024 up to \$3,900,000. (Fiscal and Operational Support Division)
2. **23-1299** Receipt and filing of Head Start Policy Council Program Information and Updates June 2023, Head Start Policy Council Meeting Minutes May 18, 2023, Head Start Policy Council Program Information and Updates July 2023, and Head Start Policy Council Meeting Minutes June 15, 2023 for the official county record. (Head Start Division)

F. CONVENTION CENTER DEPARTMENT

1. **23-1300** Approval of the Tourist Development Tax Sports Incentive Committee’s recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following

applicants, and authorization for Visit Orlando to enter into such agreements as follows: (1) \$25,000 to Greater Orlando Sports Commission to be used for bid fees for the 2023 USA Fencing October North American Cup; (2) \$25,000 per year, up to \$100,000, to Greater Orlando Sports Commission to be used for bid fees for the 2023, 2024, 2025, and 2026, NBA G League Winter Showcase; (3) \$25,000 per year, up to \$75,000, to Greater Orlando Sports Commission to be used for bid fees for the 2024, 2025, and 2026 Hertz National Championships; and (4) \$500,000 per year, up to \$2,000,000 to Arnie's Army Charitable Events Foundation d/b/a Arnold Palmer Invitational to be used for advertising and programming expense for the 2024, 2025, 2026, and 2027 Arnold Palmer Invitational Presented by Mastercard. (Fiscal and Operational Support Division)

(This item was deferred.)

G. FIRE RESCUE DEPARTMENT

1. **23-1301** Approval and execution of Delegation of Authority regarding the Florida Recovery Obligation Calculation ("F-ROC") Program to the Orange County Emergency Manager. There is no cost to the County and no match is required.

H. HEALTH SERVICES DEPARTMENT

1. **23-1302** Approval of Orange County Regional Opioid Settlement Fund: Regional Opioid Settlement Committee Recommendations for Funding Priorities for treatment, recovery, prevention, and data collection programs and services. (Drug Free Office)
2. **23-1303** Approval and execution of the Paratransit Services License for Providence Transportation Services, LLC to provide wheelchair/stretchers service. The term of this license shall be from September 12, 2023 and terminate on September 11, 2025. There is no cost to the County. (EMS Office of the Medical Director)
3. **23-1304** Approval and execution of the Paratransit Services License for Care Mobility Services, LLC to provide wheelchair/stretchers service. The term of this license shall be from September 12, 2023 and terminate on September 11, 2025. There is no cost to the County. (EMS Office of the Medical Director)
4. **23-1305** Approval and execution of the renewal Paratransit Services License for Medical Transport Solutions, Inc. to provide wheelchair/stretchers service. The term of this license shall be from September 12, 2023 and will terminate on September 11, 2025. There is no cost to the County. (EMS Office of the Medical Director)
5. **23-1306** Approval and execution of the renewal Paratransit Services License for

Frang Zeal, LLC to provide wheelchair/stretchers service. The term of this license shall be from December 31, 2023 and will terminate on December 30, 2025. There is no cost to the County. (EMS Office of the Medical Director)

- 6. **23-1307** Approval and execution of the Paratransit Services License for Movcare Transportation, LLC to provide wheelchair/stretchers service. The term of this license shall be from September 12, 2023 and terminate on September 11, 2025. There is no cost to the County. (EMS Office of the Medical Director)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **23-1308** Approval and execution of Memorandum of Agreement between Orange County and Town of Eatonville for GIS Services. District 2. (Fiscal and Operational Support Division)

- 2. **23-1309** Approval of Amendment of Housing Choice Voucher Program Administrative Plan Chapter 8 to change biennial inspections to annual inspections. All Districts. (Housing and Community Development Division)

- 3. **23-1310** Approval and execution of Subrecipient Agreements by and between Orange County, Florida and 1) Catholic Charities of Central Florida, Inc.; 2) Habitat for Humanity Greater Orlando and Osceola County, Inc. regarding U.S. Department of Housing and Urban Development (“HUD”) Community Development Block Grant (“CDBG”) Program FY 2022-2023. All Districts. (Housing and Community Development Division)

- 4. **23-1311** Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services, and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 1, 2, 3, 4, 5, and 6. (Neighborhood Services Division)

LC 23-0273 LC 23-0274 LC 23-0265 LC 23-0221 LC 23-0251
 LC 23-0219 LC 23-0220 LC 23-0232 LC 23-0240 LC 23-0261
 LC 23-0238 LC 23-0245 LC 23-0222 LC 23-0242 LC 23-0262
 LC 23-0239 LC 23-0248 LC 23-0234 LC 23-0249 LC 23-0269

- 5. **23-1312** Approval and execution of Orange County/MetroPlan Orlando (Urban Area Metropolitan Planning Organization) FY 2023-2024 Funding Agreement. All Districts. (Transportation Planning Division)

- 6. **23-1313** Approval and execution of Proportionate Share Agreement for Wesley Place PD Orange Blossom Trail, by and between Wesley Place RBP, LLC and Orange County for a proportionate share payment in the amount of \$103,212. District 2. (Roadway Agreement Committee)

J. PUBLIC WORKS DEPARTMENT

1. **23-1314** Authorization to record the plat of Waterleigh Kiddie Academy. District 1. (Development Engineering)

K. UTILITIES DEPARTMENT

1. **23-1315** Approval of funding for the Orange County/City of Orlando Water Conserv II Joint Facilities Annual Target Budget with Woodard & Curran, Inc. The County's share of the estimated project budget is \$5,041,280. All Districts. (Water Reclamation Division)
2. **23-1316** Approval of Irrevocable Standby Letter of Credit No. 75001106, issued by Truist Bank on behalf of Pultegroup, Inc. on behalf of Pulte Home Company, LLC in favor of Orange County in the amount of \$89,250 for the required security to guarantee compliance with the terms of Split Oak Reserve (14-E-054) Wastewater Capital Charge Letter of Credit Agreement and authorization for the Utilities Director or Utilities Deputy Director to release the Letter of Credit to the issuing institution upon completion of the term of the Agreement or upon the Board's acceptance of a replacement letter of credit. District 4. (Engineering Division)
3. **23-1317** Approval and execution of Split Oak Reserve (14-E-054) Wastewater Capital Charge Letter of Credit Agreement by and between Pulte Home Company, LLC and Orange County. District 4. (Engineering Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. **23-1239** Receipt of the following items to file for the record:
 - a. Orange County Industrial Development Authority Oath of Office for Shannon McAleavey, as Secretary of the Orange County Industrial Development Authority.
 - b. Stoneybrook West Community Development District Annual Operating and Debt Service Budget Fiscal Year 2024.
 - c. Minutes of the August 15, 2023, Meeting in the Sunshine, Commissioners Christine Moore and Mayra Uribe met to discuss Mainstreet preservation and revitalization.
 - d. Audit Report No. 502 - Audit of Utilities Storage, Handling, Management and Disposal of Hazardous Materials and Waste.

These items were received and filed.

I. CONSENT AGENDA (Deferred)

A. COUNTY MAYOR

- 1. **23-1244** Confirmation of the Mayor’s managerial appointment of Yolanda Reyes, MSW, as Manager, Citizens Resource and Outreach Division, Community and Family Services Department.

Board discussion ensued. County Attorney Newton, and County Administrator Brooks, contributed to the discussion.

A motion was made by Commissioner Scott, seconded by Commissioner Uribe, to confirm the Mayor’s managerial appointment of Yolanda Reyes, MSW, as Manager, Citizens Resource and Outreach Division, Community and Family Services Department. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

C. COUNTY ADMINISTRATOR

- 5. **23-1252** Confirmation of the County Mayor’s staff reappointments for the first quarter, October - December, FY 2023-2024. (Human Resources Division)

Beason, Juanita Manager, Inmate Administrative Services, Corrections
 Best, Yvette, Director, Human Resources, Administration and Fiscal Services
 Blackadar, Brett, Deputy Director, Public Works
 Blanc, Eric, Deputy Director, Convention Center
 Cummings, Mindy, Manager, Real Estate Management, Administrative Services
 Devitt, Terence, Deputy Director, Convention Center
 Flynn-Kramer, Sara, Manager, Capital Projects, Administrative Services
 Hill, Sonya, Manager, Head Start, Community and Family Services
 Kramer, Glen, Manager, Fiscal and Operational Support, Utilities
 Kunkel, Joseph, Director, Public Works
 Mena, Rafael, Chief Information Officer, Administration and Fiscal Services
 Plante, Alan, Manager, Building Safety, Planning, Environmental, and Development Services
 Quinones Jr, Louis, Chief of Corrections, Corrections
 Siemen, Iulia, Manager, Water Operations, Utilities
 Vargas, Alberto, Manager, Planning, Planning, Environmental, and Development Services

Walls III, Raymond, Deputy Director, Convention Center
Watts, Anthony, Deputy Chief, Corrections
Williamson, Jeffrey, Manager, Communications, County Mayor's Office
Yabrudy, Claudia, Manager, Fiscal and Operational Support, Health Services

Board discussion ensued. County Attorney Newton, County Administrator Brooks, and Comptroller Diamond, contributed to the discussion.

A motion was made by Commissioner Scott, seconded by Commissioner Bonilla to confirm the County Mayor's staff reappointments for the first quarter, October - December, FY 2023-2024 as follows:

- Beason, Juanita Manager, Inmate Administrative Services, Corrections
- Best, Yvette, Director, Human Resources, Administration and Fiscal Services
- Blackadar, Brett, Deputy Director, Public Works
- Blanc, Eric, Deputy Director, Convention Center
- Cummings, Mindy Manager, Real Estate Management, Administrative Services
- Devitt, Terence, Deputy Director, Convention Center
- Flynn-Kramer, Sara, Manager, Capital Projects, Administrative Services
- Hill, Sonya, Manager, Head Start, Community and Family Services
- Kramer, Glen, Manager, Fiscal and Operational Support, Utilities
- Kunkel, Joseph, Director, Public Works
- Mena, Rafael, Chief Information Officer, Administration and Fiscal Services
- Plante, Alan, Manager, Building Safety, Planning, Environmental, and Development Services
- Quinones Jr, Louis, Chief of Corrections, Corrections
- Siemen, Iulia, Manager, Water Operations, Utilities
- Vargas, Alberto, Manager, Planning, Planning, Environmental, and Development Services
- Walls III, Raymond, Deputy Director, Convention Center
- Watts, Anthony, Deputy Chief, Corrections
- Williamson, Jeffrey, Manager, Communications, County Mayor's Office
- Yabrudy, Claudia, Manager, Fiscal and Operational Support, Health Services

The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

F. CONVENTION CENTER DEPARTMENT

1. **23-1300** Approval of the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following applicants, and authorization for Visit Orlando to enter into such agreements as follows: (1) \$25,000 to Greater Orlando Sports Commission to be used for bid fees for the 2023 USA Fencing October North American Cup; (2) \$25,000 per year, up to \$100,000, to Greater Orlando Sports Commission

to be used for bid fees for the 2023, 2024, 2025, and 2026, NBA G League Winter Showcase; (3) \$25,000 per year, up to \$75,000, to Greater Orlando Sports Commission to be used for bid fees for the 2024, 2025, and 2026 Hertz National Championships; and (4) \$500,000 per year, up to \$2,000,000 to Arnie's Army Charitable Events Foundation d/b/a Arnold Palmer Invitational to be used for advertising and programming expense for the 2024, 2025, 2026, and 2027 Arnold Palmer Invitational Presented by Mastercard. (Fiscal and Operational Support Division)

Board discussion ensued. Deputy Director Convention Center Ray Walls contributed to the discussion.

The motion was made by Commissioner Uribe, seconded by Commissioner Wilson, to approve the Tourist Development Tax Sports Incentive Committee's recommendations for sports incentive funding pursuant to the terms and conditions of funding agreements between Visit Orlando and the following applicants, and authorization for Visit Orlando to enter into such agreements as follows: (1) \$25,000 to Greater Orlando Sports Commission to be used for bid fees for the 2023 USA Fencing October North American Cup; (2) \$25,000 per year, up to \$100,000, to Greater Orlando Sports Commission to be used for bid fees for the 2023, 2024, 2025, and 2026, NBA G League Winter Showcase; (3) \$25,000 per year, up to \$75,000, to Greater Orlando Sports Commission to be used for bid fees for the 2024, 2025, and 2026 Hertz National Championships; and (4) \$500,000 per year, up to \$2,000,000 to Arnie's Army Charitable Events Foundation d/b/a Arnold Palmer Invitational to be used for advertising and programming expense for the 2024, 2025, 2026, and 2027 Arnold Palmer Invitational Presented by Mastercard. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

Absent: 1 - Commissioner Scott

III. WORK SESSION AGENDA

A. COUNTY ADMINISTRATOR

1. **23-1318** Sustainability and Resilience Emerging Trends.

The following persons addressed the Board:

- Heaven Campbell
- Kevin Noonan
- Lisa Curran
- Derick Farfan
- Kris Davis
- Zhiaha Qu
- Chris Castro

The Board took no action.

IV. DISCUSSION AGENDA

B. UTILITIES DEPARTMENT

- 1. **23-1321** Pluris Wedgefield Water and Wastewater System Update.

The Board took no action.

A. ADMINISTRATIVE SERVICES DEPARTMENT

- 1. **23-1319** Selection of one firm and one ranked alternate to provide Design Services for Lake Ellenor Community Park, Request for Proposals Y23-821-MB, from the following two firms, listed alphabetically:

- AVCON, Inc.
- SK Consortium, Inc.

([Administrative Services Department Capital Projects Division]
Procurement Division)

(This item was moved to the afternoon session.)

- 2. **23-1320** Selection of three firms and two ranked alternates to provide Continuing Geotechnical Engineering and Materials Testing Services, Request for Proposals Y23-902-SH, from the following five firms, listed alphabetically:

- Ardaman & Associates, Inc.
- NADIC Engineering Services, Inc.
- Professional Service Industries, Inc.
- Terracon Consultants, Inc.
- Universal Engineering Sciences, LLC

([Utilities Department Engineering Division] Procurement Division)

(This item was moved to the afternoon session.)

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **23-1322** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

(This item was moved to the afternoon session.)

V. RECOMMENDATIONS

1. **23-1323** August 17, 2023 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to approve the recommendations with the exception of Case # RZ-23-08-062, Jesus Montero (Appeal Filed), and Case # RZ-23-07-057, Khan Huda Asif (Board-Called), which were pulled from the recommendations; subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 5 - Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 2 - Mayor Demings, and Commissioner Moore

VI. PUBLIC HEARINGS

A. Shoreline Alteration/Dredge and Fill

1. **23-1097** Case # SADF 23-03-005

Mark and Lisa Miller, Lake Down, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-03-005 to authorize the construction of a seawall, faced with riprap and plantings, on the shoreline of Lake Down, pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigation Control District

Location: District 1; on property located adjacent to Lake Down, located at 551 Ridgewood Drive, Windermere, FL 34786; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to accept the findings and recommendations of the Environmental Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-03-005) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 11, 2023. The motion carried by the following vote:

Aye: 5 - Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 2 - Mayor Demings, and Commissioner Moore

2. **23-1098** Case # SADF 23-03-003

Leonardo Santana and Michelle Rothen, Lake Pearl, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 23-03-003 to authorize the construction of a replacement seawall, faced with riprap and plantings, on the shoreline of Lake Pearl, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 5; on property located adjacent to Lake Pearl, located at 4326 Piermont

Court, Orlando, FL 32817; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to accept the finding and recommendations of the Environment Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-23-03-003) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 11, 2023. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

3. **23-1099** Case # SADF 22-02-002

Mukesh and Rhonda Mehra, Big Sand Lake, after-the-fact permit; District 1

Consideration: Request for an After-the-fact Shoreline Alteration/Dredge and Fill Permit SADF # 22-02-002 to authorize a riprap revetment, on the shoreline of Big Sand Lake, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located adjacent to Big Sand Lake, located at 8755 Southern Breeze Drive, Orlando, FL, 32836; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to accept the findings and recommendations of the Environment Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-02-002) subject to the twenty-six (24) conditions of approval listed in the Staff Report dated August 10, 2023. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

4. **23-1100** Case # SADF 22-02-000

Janak and Jaimini Marolia, Big Sand Lake, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-02-000 to authorize the construction of a seawall, with riprap, on the shoreline of Big Sand Lake, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located adjacent to Big Sand Lake, located at 8761 Southern Breeze Drive, Orlando, FL 32836; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to accept the findings and recommendations of the Environment Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-02-000) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 10, 2023. The motion carried by the

following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

5. **23-1101** Case # SADF 22-02-001

Ashok and Daksha Patel, Big Sand Lake, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 22-02-001 to authorize the construction of a seawall, with riprap, on the shoreline of Big Sand Lake, pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredging Control

Location: District 1; on property located adjacent to Big Sand Lake, located at 8767 Southern Breeze Drive, Orlando, FL 32836; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to accept the findings and recommendations of the Environment Protection Division; and further, approve the Shoreline Alteration/Dredge and Fill Permit (SADF-22-02-001) subject to the twenty-six (26) conditions of approval listed in the Staff Report dated August 11, 2023. The motion carried by the following vote:

Aye: 5 - Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 2 - Mayor Demings, and Commissioner Moore

B. Board of Zoning Adjustment Appeal

6. **23-1106** Case # VA-23-07-043

Julio Barona, July 6, 2023; District 5

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Variances in the R-1A zoning district as follows: 1) To allow an attached accessory structure to remain with a north side setback of 5 ft. in lieu of 7.5 ft. 2) To allow an attached accessory structure to remain with a west rear setback of 10 ft. in lieu of 30 ft. 3) To allow an existing residence with a west rear setback of 18 ft. in lieu of 30 ft. Note: This is a result of Code Enforcement.

Location: District 5; property located at 1218 Kingston Avenue, Orlando, Florida 32807; Orange County, Florida (legal property description on file at Zoning Division)

The following persons addressed the board:

- Julio Barona
- Dina Morales
- Juan Gonzalez

- Manuel Lugo

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Julio Barona
- Exhibit 2, from Dina Morales
- Exhibit 3, from Julio Barona

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to uphold the Board of Zoning Adjustment Recommendation of July 6, 2023 to deny Variances requests # 1 and # 2 and approve Variance requests # 3 in the R-1A zoning district, subject to the three (3) conditions of approval listed in the Staff Report dated August 16, 2023. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

C. Substantial Change

7. **23-1108** Case # CDR-20-08-242

Lance Bennett, Poulos & Bennett, LLC, Serenade at Ovation Planned Development / Land Use Plan (PD / LUP), amend plan; District 1

Consideration: A PD substantial change to split PD Parcel 19 into 2 development parcels; Parcel 19A will be Village Home District and Parcel 19B will become Apartment District. The request is also to change Parcel 14 to Townhome / Apartment District to allow for development of an Assisted Living Facility. In addition, the following waiver is requested from Orange County Code: 1) A waiver from Orange County Code Section 38-1387.1(a)(10) is granted to allow a fourteen (14) foot building separation between townhomes in lieu of twenty (20) feet; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located on the west of Avalon Road south of Flemings Road; Orange County, Florida (legal property description on file in Planning Division)

New condition of Approval #14:

14. The developer may amend the ties to storm water ponds within the project boundaries of parcel 14, 19a, and 19b, which may require the creation of a separate track to be maintained by the property owners association.

Previous Condition of Approval # 14 is renumbered to Condition of Approval # 15.

The following person addressed the Board: Sean Els. (Phonetic)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the fourteen (14) Conditions of Approval listed under the Development Review

Committee recommendation in the Staff Report dated August 31, 2023; further, approve new Condition of Approval # 14; and further, approve renumbered Condition of Approval # 15. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

8. **23-1104** Case # CDR-21-03-085
Brian Canin, Canin Associates, Wilderness Creek Planned Development /
Land Use Plan (PD / LUP), amend plan; District 1

Consideration: A PD substantial change to change the use PD Parcel 402 from "Access Tract" to "Commercial" in order to develop the site and build a 12,000 square foot athletic training facility. In addition, the following waivers are requested from Orange County Code: 1) A waiver from Section 38-1287(2) to allow a 9' side setback from the west side PD boundary in lieu of a 30' side setback. 2) A waiver from Section 38-1287(2) to allow a 21' side setback to the residential parcel on the east property line in lieu of a 30' side setback. 3) A waiver from Section 38-1300 to allow a building height of 57' in lieu of 35' within one hundred (100) of single-family residential. 4) A waiver from Section 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 45' strip along the western property line to accommodate for the emergency vehicle turnaround. 5) A waiver from Section 38-1287(4) to allow a dumpster setback from side lot line of 3' in lieu of 7.5' on a 20' strip along the western property line to accommodate for the emergency vehicle turnaround. 6) A waiver from Section 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 580' strip along the eastern property line. 7) A waiver from Section 38-1291(c) and Section 24-10(b)(1) to allow no perimeter landscaping along a 580' strip on the eastern property line, in lieu of providing one tree every 75 linear feet in buffer yard areas with at least 50% of the required trees located within 15' from the property line. 8) A waiver from Section 24-10(b)(4) to allow no building landscaping along the eastern side of the building in lieu of providing a minimum of a 4-foot-wide landscaped area at the building base and trees provided at a ratio of one tree per 200 square feet of required landscaped area, pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

Location: District 1; property generally located on the south side of S. International Drive, approximately 3,000 feet east of Daryl Carter Parkway; Orange County, Florida (legal property description on file in Planning Division)

New Condition of Approval # 14:

14. Developer agrees to grant access control cross access in favor of the property to the West 24-24-28-5844-00-480 at a location to be determined on the development plan. Prior, to use of the cross access, the Wilderness Creek PD must be amended to depict cross access arrow, which shall be deemed a non substantial change.

Previous Conditions of Approval # 14, # 15 and # 16 are renumbered to Conditions of Approval # 15, # 16 and # 17.

The following persons addressed the Board:

- Rebecca Wilson
- Nick Dancaescu
- Julia Swanson

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the substantial change request subject to the sixteen (16) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated August 21, 2023; further, approve new Condition of Approval # 14; and further, approve the renumbered Conditions of Approval # 15, # 16 and # 17. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

D. Ordinance/Comprehensive Plan – Adoption of Small-Scale Amendment, Ordinance, and Concurrent Rezoning Request

9. **23-1162** Adoption of Future Land Use Map Amendment SS-23-07-040, Ordinance, and Concurrent Rezoning Request RZ-23-07-041, Robert Smith

a. Amendment SS-23-07-040

Consideration: To change the Future Land Use designation from Low Density Residential (LDR) to Commercial (C), pursuant to Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

Location: District 2; property located at 7513 Edgewater Drive; generally located on the east side of Edgewater Drive, approximately 600 feet east of the Rose Avenue and Edgewater Drive intersection; Orange County, Florida (legal property description on file in Planning Division)

And

b. Ordinance for Proposed Amendment

Consideration: An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; Amending the Orange County Comprehensive Plan, commonly known as the “2010-2030 Comprehensive Plan,” as amended, by adopting Small-Scale development amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. RZ-23-07-041

Consideration: To change the zoning designation from R-1 (Single-Family Dwelling District) to C-1 Restricted (Retail Commercial District); pursuant to Part II, Chapter 163, Florida Statutes and

Orange County Code Chapter 30

Location: District 2; property located at 7513 Edgewater Drive; generally located on the east side of Edgewater Drive, approximately 600 feet east of the Rose Avenue and Edgewater Drive intersection; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Moore, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, Adopt Amendment SS-23-07-040, Commercial (C) Future Land Use Map designation; further, adopt the associated Ordinance 2023-33; and further, approve the rezoning request case # RZ-23-07-041 from Single-Family Dwelling District (R-1) to C-1 Restricted (Retail Commercial District) subject to the two (2) restrictions listed in the Staff Report dated August 23, 2023. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

E. Ordinance

10. 23-1166 Amending Orange County Code relating to the Board of County Commissioners in Orange County, Florida, amending Section 2-30; adjusting the salaries of the County Mayor and County Commissioners; revising the method by which annual salary increases are determined for the County Mayor and County Commissioners; and providing an effective date; All Districts

Consideration: AN ORDINANCE RELATING TO THE BOARD OF COUNTY COMMISSIONERS IN ORANGE COUNTY, FLORIDA; AMENDING SECTION 2-30; ADJUSTING THE SALARIES OF THE COUNTY MAYOR AND COUNTY COMMISSIONERS; REVISING THE METHOD BY WHICH ANNUAL SALARY INCREASES ARE DETERMINED FOR THE COUNTY MAYOR AND COUNTY COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

The motion by Commissioner Bonilla to adopt the salary ordinance with the exception of Section 2-30(b): Effective ~~January 1, 1997~~ September 17, 2023, the salary paid to the county ~~chairman~~ mayor shall be ~~\$112,500.00~~ 227,812.00, died for lack of a second.

A motion was made by Commissioner Scott, seconded by Commissioner Moore, to adopt Ordinance 2023-34 adjusting the salaries of the Mayor and County Commissioners immediately commensurate with state formula and revising the method by which future annual salary increases are determined for the Mayor and County Commissioners, as presented by County Staff. The motion carried by the following vote:

Aye: 4 - Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Nay: 2 - Commissioner Wilson, and Commissioner Bonilla

Absent: 1 - Mayor Demings

11. **23-1233** Amending Orange County Code regarding tree protection and removal in Orange County, Florida by amending, creating, and repealing certain provisions in Chapter 15, Article VIII of the Orange County Code; and by creating certain provisions in Chapter 24, Article I related to recommended, replacement, restricted and specimen trees and minimum residential lot trees; and providing an effective date; All Districts

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND REGARDING TREE PROTECTION AND REMOVAL IN ORANGE COUNTY, FLORIDA BY AMENDING, CREATING, AND REPEALING CERTAIN PROVISIONS IN CHAPTER 15, ARTICLE VIII OF THE ORANGE COUNTY CODE; AND BY CREATING CERTAIN PROVISIONS IN CHAPTER 24, ARTICLE I RELATED TO RECOMMENDED, REPLACEMENT, RESTRICTED AND SPECIMEN TREES AND MINIMUM RESIDENTIAL LOT TREES; AND PROVIDING AN EFFECTIVE DATE.

County Staff presented the following revisions to the Draft Ordinance:

Sec. 15-284 - Enforcement and Penalty

(3) \$212 ~~318~~ per DBH inch for impacts to specimen trees;

Sec. 15-301 - Applicability of requirements; application.

(f) General conditions for permit approval.

(3) Changes to the existing grade of a site that will impact regulated trees shall only occur when necessary to meet county code or other regulatory requirement. Regulated trees within the property line setback areas or buffer areas may only be removed if required fill or removal of grade exceeds twenty-four (24) inches from natural grade. If fill or the removal of grade is less than twenty-four (24) inches, the natural grade within the dripline of the affected trees must be left undistributed.

Sec. 24-12. Recommended, replacement, and restricted trees

- Changed "Common Name" reference of *Quercus incana* from Blackjack Oak to Bluejack Oak in Recommended stock list chart.

The following persons addressed the Board:

- Bobby Beagles
- Jim Erwin
- Maria Bolton-Joubert
- David Bottomley
- Marje Holt

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Jim Erwin
- Exhibit 2, from David Bottomley

- Exhibit 3, from Marje Holt

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency to make a Comprehensive Plan; further, adopt the Ordinance 2023-35, as affecting the use of land regarding Tree Protection and Removal in Orange County, Florida by presented amending, creating, and repealing certain provisions in Chapter 15, Article VIII of the Orange County Code; further, by creating certain provisions in Chapter 24, Article I related to recommended, replacement, restricted and specimen trees, and minimum residential lot trees; further, providing an effective date; further, accept additional changes as presented by staff. The motion carried by the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

IV. DISCUSSION AGENDA (Continued)

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **23-1319** Selection of one firm and one ranked alternate to provide Design Services for Lake Ellenor Community Park, Request for Proposals Y23-821-MB, from the following two firms, listed alphabetically:

- AVCON, Inc.
- SK Consortium, Inc.

([Administrative Services Department Capital Projects Division]
Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to appoint SK Consortium, Inc. 387.50 points, as the selected firm; and further, appoint AVCON, Inc., 330 points, as the selected rank alternate. The motion carried the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

2. **23-1320** Selection of three firms and two ranked alternates to provide Continuing Geotechnical Engineering and Materials Testing Services, Request for Proposals Y23-902-SH, from the following five firms, listed alphabetically:

- Ardaman & Associates, Inc.
- NADIC Engineering Services, Inc.
- Professional Service Industries, Inc.
- Terracon Consultants, Inc.
- Universal Engineering Sciences, LLC

([Utilities Department Engineering Division] Procurement Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Scott, to appoint NADIC Engineering Services, Inc. at 474.50 points, Professional Service Industries, Inc., 460.13 points, Terracon Consultants, Inc., 448.75 points, as the selected firms; and further appoint Ardaman & Associates, Inc., 434.5 points, and Universal Engineering Sciences, LLC, 384.50 points, as the selected ranked alternates. The motion carried the following vote:

Aye: 6 - Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

Absent: 1 - Mayor Demings

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1322** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

III. WORK SESSION AGENDA (Continued)

B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **23-1324** Proposed Amendments to Orange County Code Chapter 38 - Zoning. (Zoning Division)

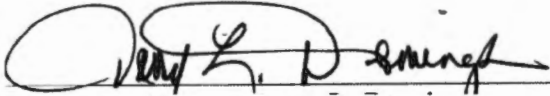
The Board took no action.

√ **The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.**

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at <http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp>.

ADJOURNMENT: 8:00 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: October 10, 2023



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Deputy Clerk

* * *

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.